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SEIKA INT' PATENT & TRADEMARK OFFICE

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7F, NO. 3, ALLEY 32, SEC. 6 CHUNG-HSIAO E. RD, TAIPEI.

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Date : 21 July 2005

Examiner Walczak, David J.

U.S. Patent and Trademark Office

Technology Center 3700

Art Unit 3751

Application/Control Number: 10/697,934/8938

Tel: (571)-272-4895

Fax: 002-1-703-872-9306

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Dear Mr. Walczak, David J.:

We have to list and clarify our problems about this case as following:

1. Generally, USPTO has to publish this case after the filing date about 18 months, but till now, we never see this case published on the USPTO website. It may delay 3 months more. (This case should have been published on the USPTO website since 1 May 2005, included the specification and related official documents.)
2. We luckily received "the notice of allowance and fee due" from the examiner Walczak, David J. dated 20 October 2004 – before aforesaid published date, we paid the issue fee and publication fee amount to USD 985 by ticket mailed to USPTO on 11/18/2004 as soon as possible, but we never receive any related documents about this case until now.
3. The delayed issue certificate may be our faults, we list for your reference:
 1. the USPTO never issue the notice as mentioned above, but we received a faxed notice from someone, just a joke to amuse himself.
 2. our case may be rejected by the Examiner, but we did not know.
 3. we have not paid enough issue fee in time and failed to inform us. (it may need to pay USD 1000, but we only paid USD 985)
 4. the case still wait for some reason.

We only hope the Examiner circle the items listed above and fax back to our fax machine : 886-2-2789-3701. our E-mail address: cho0123@ms18.hinet.net very thanks!

Best regards,

Sincerely Yours,
Huang, Ming



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7390
Huang Ming
235 Chung-Ho
Box 8-24
Taipei,
TAIWAN

9/25/2004

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JUL 21 2005

| | |
|------------------|--------------|
| EXAMINER | |
| WALCZAK, DAVID I | |
| ART UNIT | PAPER NUMBER |
| 3731 | |

DATE MAILED: 10/20/2004

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION |
|-----------------|-------------|----------------------|---------------------|--------------|
| 10/697,934 | 10/31/2003 | Huang Ming | BP3029-H47-P15 | 8938 |

TITLE OF INVENTION: Light-emitting pen with pullable cover

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | YES | \$685 | \$300 | \$985 | 12/25/2004 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR BY PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION IS BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issue: Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.